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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 22 April 2016 from the Permanent Mission of Egypt to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to submit the following documents:

- The latest national report of Egypt on the implementation of Security Council resolution 1540 (2004) (see annex I).
- The revised matrix[1] of Egypt in this regard (see annex II).

The attached documents embody the outcome of continuous work and meetings in the past several months involving all relevant Egyptian authorities aimed at preventing non-State actors from developing, acquiring, manufacturing, possessing, transporting or using nuclear, chemical or biological weapons.

[1] The matrix as submitted by Egypt will appear in English only, the original language of submission, as agreed by the Committee.

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Annex I to the note verbale dated 22 April 2016 from the Permanent Mission of Egypt to the United Nations addressed to the Chair of the Committee

Report submitted by Egypt to the Security Council Committee established pursuant to resolution 1540 (2004)

The Government of the Arab Republic of Egypt has the honour to submit an update to its national report on its implementation of Security Council resolution 1540 (2004), submitted on 28 October 2004, and the two addenda submitted on 17 March 2006 and 28 February 2008. The following update focuses on developments in adopted legislation since 2008, as well as policies and initiatives undertaken by the Government of Egypt to implement the resolution.

Egypt reiterates its commitment to the non-proliferation of weapons of mass destruction (WMD) and the fulfilment of its obligation to undertake appropriate domestic measures to prevent terrorists and non-State actors from developing, acquiring, manufacturing, transporting, or transferring or using nuclear, biological and chemical weapons and their delivery systems.

I. The potential threat of weapons of mass destruction posed by terrorists and non-State actors

Egypt believes that non-State actors continue to pose a serious WMD proliferation risk. The spread of information technology, the increase in transboundary movements, growing regional instability, and the continued efforts by armed non-State actors and terrorist entities to acquire weapons of terror have increased the risk of the potential acquisition and use of WMD by such entities.

Egypt remains fully committed to combating terrorism in all its forms and continues to undertake rigorous domestic measures to counter terrorism and prevent terrorists and non-State actors from acquiring WMD material and/or weapons. In 2010, the Egyptian Parliament approved a milestone law regulating nuclear and radiological activities in Egypt. The law establishes the legislative framework governing all nuclear or radiological facilities, activities and practices in Egypt, including the establishment of a regulatory authority reporting directly to the Office of the Prime Minister. Furthermore, in 2015 Egypt issued the Counter-Terrorism Law, which further empowers law enforcement agencies to address the growing threat of terrorism. The law contains specific references to the necessity of preventing terrorists from acquiring non-conventional weapons and material and outlines explicit legal punitive measures for individuals who produce or seek to produce, design, acquire or transfer non-conventional weapons and/or material.

II. Legislation

Egypt remains committed to ensuring that all activities within its national programme on the peaceful applications of nuclear technologies remains up to the highest standards developed in the context of the International Atomic Energy Agency and that its legislative framework corresponds to the growing threat by

terrorist organizations and non-State actors. The following laws are to be particularly highlighted:

A. Constitution of the Arab Republic of Egypt (2014)

The Egyptian Constitution states in article 237 that the State shall fight all types and forms of terrorism and track its funding sources, given the threat to the nation and its citizens, within a specific time frame, while guaranteeing basic rights and freedoms. The law shall regulate the provisions and procedures for fighting terrorism, and fair compensation for the damages resulting therefrom.

B. Law No. 94 (2015) — Counter-Terrorism Law

Egypt issued a comprehensive counter-terrorism law on 15 August 2015. The Counter-Terrorism Law addresses terrorism from a wide-ranging perspective, addressing a series of issues such as terrorist financing, incitement, cyberterrorism and judicial proceedings of terrorist trials. The law stipulates the punishments that shall be imposed on any individual who produces, designs, acquires or transfers non-conventional weapons with the objective of committing a terrorist attack:

- Article 1 (e) defines non-conventional weapons as nuclear, chemical, biological, radiological or germ weapons or any other natural or artificial materials solid or liquid, gas or steam that could result in the loss of life, serious physical or psychological injuries, or damage to the environment, buildings and/or facilities.
- Article 15 stipulates that any individual shall be imprisoned for life if s/he plans or trains other individuals, either directly or indirectly, to produce or use conventional or non-conventional weapons.
- Article 23 stipulates that any individual shall be imprisoned for life if s/he produces, designs, acquires or transfers non-conventional weapons with the objective of committing a terrorist attack. In the event that such an attack results in the loss of life, the individual shall receive capital punishment.

C. Law No. 8 (2015) — Terrorist Entities

Law No. 8 defines terrorist financing as the collection, receipt, possession, transfer or transport of funds, weapons, ammunition, explosives, equipment or material either directly or indirectly for its total or partial use to commit any terrorist act or to provide safe haven for terrorists.

D. Law No. 7 (2010) on Regulating Nuclear and Radiological Activities

On 29 March 2010, the Egyptian Parliament approved a significant law on regulating all nuclear and radiological activities in Egypt. The law stipulates in article 5 that nuclear weapons, nuclear explosive devices and radiological dispersion devices shall not be developed, fabricated, owned, transported, used or threatened to be used, possessed or acquired. Furthermore, helping or participating in or commencing any of the aforesaid acts or attempting to commit any such acts shall also be prohibited.

The law establishes the legislative framework governing all nuclear and radiological facilities, activities and practices in Egypt. It deals with all aspects

related to the peaceful uses of nuclear energy, including upgrading nuclear security measures, ensuring the safety and protection of individuals and property, outlining specific duties and tasks for all licences and the regulatory body, addresses measures taken to ensure the safety and security of all types of radioactive sources, and regulates transport of nuclear and radioactive material for both domestic purposes and international transport. The law includes stringent measures for nuclear security and consists of a variety of procedures to protect nuclear and radiological facilities and material against sabotage, theft, diversion and other malicious acts. As Egypt proceeds with developing its peaceful nuclear programme, the law ensures that nuclear materials are protected.

The law was drafted in accordance with international standards in nuclear legislation to ensure the security and safety of individuals, property and the environment while fulfilling Egypt's legal obligations towards all other bilateral, regional and international treaties and conventions in the field of peaceful uses of nuclear energy.

The provisions of Law No. 7 (2010) include:

- Article 6: it is prohibited to import or bring in from abroad any radioactive waste or spent nuclear fuel to the Arab Republic of Egypt or to bury it in its territory or the territorial sea or exclusive maritime zone and continental shelf.
- Article 10: it is prohibited to produce, export or sell any foodstuffs or other substances that exceed the acceptable radioactive level according to the criterion set forth by the Authority.
- Article 25: it is not permissible to conduct any nuclear or radiological activity without a licence from the Authority based on the provisions of this law and its executive regulation and their decisions.
- Article 26: it is not permissible for individuals to run a nuclear or radiological facility unless they are qualified individuals holding an operation licence.

The Law also stipulates in part 7, articles 96 to 109, the penalties that should be applied in case of any violations of its provisions.

In 2011, Decree No. 1326 was issued by the Prime Minister, comprising the executive regulations for the implementation of Law No. 7 (2010) on Regulating Nuclear and Radiological Activities. Among some of the articles worth noting in the ministerial decision are:

- Article 22: it is not permissible to import or use any radiation sources or radioactive materials for any purpose without the necessary licences after meeting all safety criteria and standards.
- Article 34: it is not permissible to undertake any nuclear or radiological activity without receiving a licence from the Nuclear and Radiological Regulatory Authority. It is not permissible to issue a personal licence to undertake any activity that provides exposure to ionizing radiation without the necessary qualification and training based on certified training programmes from the Regulatory Authority.
- Article 52: it is prohibited, without the proper licences from the Regulatory Authority, to allow the aerial, maritime and land crossing (including the exclusive economic zones) of radioactive materials or waste or their means of

transport. In all cases, it is not permissible, for any means of transport, to transport radioactive materials or nuclear material in the Nile River.

- Article 60: the Ministry of the Interior, the Ministry of Foreign Affairs and other competent ministries and authorities, which include Civil Aviation, Transportation, the Suez Canal Authority, Intelligence Services and the Atomic Energy Authority, are responsible for undertaking the measures necessary to ensure the safety and protection of radiological sources with regard to international transport. Such measures will be taken in accordance with international treaties acceded to by Egypt that involve land transport or transit in Egyptian airports or ports.

- Article 69: it is not permissible to construct any facilities for the disposal of radioactive waste without a licence from the relevant governorate and permission from the Environmental Affairs Agency and the advisory of the Ministry of Health, the Ministry of Manpower and the Atomic Energy Authority. The facility must meet all necessary criteria that ensure the safety of the environment, public and workers.

The Nuclear and Radiological Regulatory Authority issued a number of regulations to ensure that nuclear materials, radiation sources and other radioactive materials are well controlled, as follows:

- Regulation on the procedures and rules regulating the activities related to nuclear safeguards: this regulation was issued to ensure that all nuclear materials are controlled and used for peaceful applications only and to ensure that materials are not diverted to non-peaceful applications.

- Regulation on the classification of nuclear materials and radiation sources from a nuclear security perspective: this regulation was issued to specify the appropriate requirements and measures to be applied to each category to ensure that nuclear materials and radiation sources are well protected from theft, sabotage or unauthorized access or any malicious act.

- The Nuclear and Radiological Regulatory Authority established a nuclear security support and training centre to provide training and technical support to the national authorities working in this field. The centre was established to ensure that all employees working in this field are highly qualified and well trained.

- The Nuclear and Radiological Regulatory Authority endorsed an integrated nuclear security support plan with the International Atomic Energy Agency for supporting national efforts in promoting the national nuclear security regime, including upgrading the physical protection system of the two research reactors and developing human resources working in this field.

E. Environment Law No. 4 of 1994 as amended by Law No. 9 (2009) and Law No. 105 (2015)

Environment Law No. 4 of 1994 as amended by Law No. 9 (2009) and Law No. 105 (2015) provides a comprehensive legal framework regulating environmental affairs in Egypt, including provisions related to the protection of the land, air and water environment in Egypt. Of particular relevance to the present report, the Environment Law addresses issues related to the handling of hazardous

material and waste, as well as the usage of harmful substances. Among some of the specific issues addressed in this legislation are:

1. Article 29: Handling and licensing of hazardous substances

It is forbidden to displace hazardous substances and waste without a licence from the competent administrative authority. The executive regulations of this Law shall determine the procedures and conditions for granting such a licence and the competent authority.

2. Article 30: Management of hazardous waste

Management of hazardous waste shall be subject to the rules and procedures laid down in the executive regulations of this Law. The executive regulations shall designate the competent authority, which, after consulting the Egyptian Environmental Affairs Agency, will issue the table of hazardous waste to which the provisions of this Law shall apply.

3. Article 32 (a): Importation of hazardous waste and permission for entry

It is forbidden to import hazardous waste or to allow its introduction into or its passage through Egyptian territories. It is forbidden, without a permit from the competent authority, to allow the passage of ships carrying hazardous waste in territorial seas or in the exclusive maritime economic zone of the Arab Republic of Egypt.

4. Article 32 (b): Passage of ships carrying hazardous waste

Certain procedures are required to be observed when authorizing the passage of ships carrying hazardous waste. One of the requisites is obtaining prior notification of passage from the competent administrative body, which shall be entitled to withhold authorization if there is a risk of environmental pollution. In case of authorization, all necessary precautions as prescribed in international conventions must be taken, and the ship must have a guarantee certificate referred to in Law No. 4 of 1994.

5. Article 33: Precautionary measures for hazardous materials

Those engaged in the production or circulation of hazardous materials, either in gas, liquid or solid form, are to take all precautions to ensure that no environmental damage shall occur. The owner of an establishment whose activities produce hazardous waste pursuant to the provisions of this Law shall keep a register of such waste indicating the method of disposing thereof and the agencies contracted with to receive the hazardous waste. The executive regulations shall determine the data to be recorded in the said register, and the Egyptian Environmental Affairs Agency shall be responsible for following up the register to ensure its conformity with the facts.

6. Article 47: Exceeding concentration level of radioactive material

The level of radioactivity or concentration of radioactive substances in the air shall not exceed the permissible limits as determined by the competent authorities in accordance with the executive regulations of this Law.

Through Environment Act No. 4 of 1994 as amended by Law No. 9 (2009) and Law No. 105 (2015), as well as other relevant laws, the Government of Egypt

ensures that hazardous material and waste do not fall in the wrong hands and are not misused by terrorist organizations and non-State actors.

F. Law No. 28 of 1981 as amended by Law No. 136 of 2010 on Civil Aviation

1. Article 27: the Civil Aviation Authority, in association with other competent national authorities, shall set up a national programme of civil aviation security in accordance with the applicable international rules, and such programme shall include a clear definition of the authorities and bodies concerned with its implementation, along with the responsibilities and competencies of each. The security authorities and bodies defined in the programme shall be entitled to prevent or restrict entrance to certain areas in the aerodromes and facilities of navigation services, to inspect persons, baggage and vehicles entering the aerodromes, and to question any suspicious person, and they shall verify that persons do not possess any weapons, machines or any other materials that could be used in threatening the aircraft, aerodrome or facilities of navigation services.

2. Article 28: Carrying of weapons and hazardous materials on aircraft

- No person on the aircraft shall, without a permit from the Civil Aviation Authority, carry a weapon, inflammable materials or any other materials that could be used in any act of sabotage, violence or threat during the flight.
- If it is necessary to transfer an unloaded weapon, any inflammable materials or any other materials that could be used in any act of sabotage, violence or threat, the owner of such weapon shall hand it over to the operator's representative before his/her entrance in the aircraft. Such weapons or materials shall be kept in a place that cannot be reached by the passengers and shall be returned to the person who handed it over after the flight.

3. Article 29: any mail or postal parcel carriage by air may be undertaken only in accordance with the established postal measures and subject to provisions of the international conventions to which the State is a party. Handling and carriage of dangerous goods shall be subject to the instructions of the International Civil Aviation Organization, the provisions set forth in the International Air Transport Association's annual directory, and the regulations defined by the Civil Aviation Authority.

4. Article 153: the Civil Aviation Authority shall take all preventive measures required for preventing passengers from committing acts and offences against the security and safety of civil aviation inside the State and on-board national aircraft in the light of international rules in this respect.

5. Article 169: Life imprisonment or rigorous imprisonment shall be the penalty if one of the following acts is done deliberately:

- Destroying, damaging, disabling or sabotaging any of the means of air transport during flight or while at the airport or in the landing area.
- Destroying, damaging, sabotaging or disabling any air navigation devices, equipment or facilities, aerodromes or other air transport service facilities.
- Putting devices or substances in one of the means of carriage by air with the purpose of destroying, damaging, sabotaging or disabling, or jeopardizing the safety of the flight.

- Every behaviour intended to harm means of communication and control assigned to air navigation, if it is to jeopardize the safety of the flight.
- Stealing air navigation devices or equipment or the aerodrome's fittings.
- Carrying weapons, ammunition or explosives on a means of air transport with the intention of committing a crime prescribed in the Penal Law impinging the State's security, externally or internally.
- Carrying weapons, ammunition, explosives, any flammable substances or any other substances with the purpose of committing any acts of destroying, damaging, sabotaging or disabling set forth in this article.

G. Penal Code No. 58 (1937)

- Article 102 (a): permanent or temporary hard labour shall be the penalty imposed on whoever possesses explosives or obtains, makes or imports them before obtaining a licence. Any substance/material included in the components of explosives and determined by a decree of the Minister of the Interior, as well as the devices, machines and tools that are used in their manufacture or for their detonation shall be considered practically as explosives.
- Article 102 (c): permanent hard labour shall be the penalty imposed on whoever uses or attempts the use of explosives in a way liable to expose people's life to danger. If the explosion causes the death of one or more persons, capital punishment shall be the penalty.
- Article 102 (d): temporary hard labour shall be the penalty imposed on whoever uses or attempts the use of explosives in a way liable to expose third parties' property to danger. If the explosion causes damage to that property, permanent hard labour shall be the penalty.

H. Penal Code No. 97 (1992)

- Article 86: capital punishment or permanent hard labour shall be the penalty for whoever provides terrorist organizations with weapons, ammunition, explosives or equipment, or funding that assists it in implementing its objectives.

III. Monitoring and inspection activities

In an attempt to improve Egypt's capabilities in monitoring and inspection across Egypt's ports, the Egyptian Customs Authority recently received newly advanced equipment utilized for enhanced inspection activities. Egyptian inspectors in the Customs Authority have received training for utilization of the equipment.

Furthermore, the Central Department for Pharmaceuticals of the Ministry of Health has begun enforcing control over radiopharmaceutical products that are utilized for both diagnosis and rehabilitation. New legislation has regulated the registration, use and licensing of these products. Cooperation with international entities in this field is conducted in coordination with the Egyptian Nuclear Regulatory Authority.

The Central Department for Pharmaceuticals also regulates the use of biological products that are utilized for both diagnosis and rehabilitation purposes. The Central Department is responsible for issuing the relevant licences and conducts monitoring activities on the industries that produce these products locally.

All imported biological and pharmaceutical products are not released without the permission of the Central Department for Pharmaceuticals of the Ministry of Health and review of all necessary documentation.

All imported medical equipment is not released without the consent and permission of the Central Department for Pharmaceuticals.

Annex II to the note verbale dated 22 April 2016 from the Permanent Mission of Egypt to the United Nations addressed to the Chair of the Committee

1540 Committee matrix of Egypt

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purposes only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP1 and related matters from OP5, OP6, OP8 (a), (b), (c) and OP10

State: **Egypt**
Date of 1st report: 28 October 2004
Date of addendum 1: 17 March 2006
Date of addendum 2: 28 February
Last revised: June 2015

	Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.	*YES*	*If YES, relevant information (i.e. signing, accession, ratification, etc)*	*Remarks (information refers to the page of the English version of the national report or an official website)*
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposited 26 February 1981	
2	Nuclear Weapons Free Zone/Protocol(s)	?	Treaty of Pelindaba, signed in Cairo on 11 April 1996	
3	Convention for the Suppression of Acts of Nuclear Terrorism		Signed 20/9/2005.	

	Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.	*YES*	*If YES, relevant information (i.e. signing, accession, ratification, etc)*	*Remarks (information refers to the page of the English version of the national report or an official website)*
4	Convention on Physical Protection of Nuclear Material (CPPNM)			
5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	?	Signed 14 October 1996	
7	Chemical Weapons Convention (CWC)			
8	Biological Weapons Convention (BWC)	?	Signed 10 April 1972	
9	Geneva Protocol of 1925	X	Deposit 6 December 1928	
10	Other Conventions/Treaties	X	State Party to 11 of the 19 universal legal instruments against terrorism, including the following relevant to Resolution 1540 (2004): 1997 International Convention for the Suppression of Terrorist Bombing (9 August 2005). 1999 International Convention for the Suppression of the Financing of Terrorism (1 March 2005). Convention of the Organization of the Islamic Conference on Combating International Terrorism (1 July 199). Convention of the Organization of African Unity on the Prevention and Combating of Terrorism (19 March 2001) Arab Convention for the Suppression of Terrorism (signed) (22 April 1998). Arab Convention on Combating Money Laundering and Terrorist Financing (Signed in 2014).	
11	International Atomic Energy Agency (IAEA)	X	Since 4 September 1957	

	Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.	*YES*	*If YES, relevant information (i.e. signing, accession, ratification, etc)*	*Remarks (information refers to the page of the English version of the national report or an official website)*
12	Hague Code of Conduct (HCOC)			
13	Other Arrangements	X	Arab Code of Conduct for Combating Terrorism (1996) and Arab Strategy for Combating International Terrorism (1997).	
14	General statement on non-possession of WMD	X	State reports that it does not possess or produce WMD.	
15	General statement on Commitment to disarmament and non-proliferation	X	State reports that it has a firm policy to prevent proliferation of WMD.	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it is committed to not providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport or use nuclear, chemical or biological weapons and their means of delivery.	
17	Other[1]	X	Member of: African Union Egmont Group International Maritime Organization (IMO) League of Arab States Middle East and North Africa Financial Action Task Force (MENAFATF) World Health Organization (WHO) World Animal Health Organization (OIE) World Customs Organization (WCOSAFE Framework) World Bank Group	

[1] Including, as appropriate, information with regard to membership in relevant international, regional or subregional organizations.

OP2 — Nuclear Weapons (NW), Chemical Weapons (CW) and Biological

	Does national legislation exist which prohibits persons or entities to engage in one of the following activities?	*National legal framework*				*Enforcement: civil criminal penalties and others*				
		YES			*If YES, source document of national implementation law*	*YES*			*If YES, source document*	*Remarks*
		NW	*CW*	*BW*		*NW*	*CW*	*BW*		
1	Manufacture/ produce	X			**NW:** Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	X			**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	
2	Acquire	X			**NW:** Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	X			**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	
3	Possess	X			**NW:** Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	X			**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. Resolution No.1326 of 2011 on Nuclear and Radioactive Activities. **CW:** **BW:**	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities?		National legal framework				Enforcement: civil/criminal penalties and others				
		YES			If YES, source document of national implementation law	YES			If YES, source document	Remarks
		NW	CW	BW		NW	CW	BW		
4	Stockpile/store	X			**NW:** Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	X			**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	
5	Develop	X			**NW:** Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	X			**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	
6	Transport				Article (55) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities.				Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities.	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
7	Transfer	X			**NW:** Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	X			**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	
8	Use	X			**NW:** Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	X			NW: Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	
9	Participate as an Accomplice in above mentioned activities	X	?	?	**NW/CW/BW:** Terrorism Act No. 97 of 1992 Article (5) of Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. Law no. 94 (2015) – Counter-Terrorism Law	?	?	?	**NW/CW/BW:** Penal Code No.58, articles 86-102	

	Does national legislation exist which prohibits persons or entities to engage in one of the following activities?	National legal framework				Enforcement: civil/criminal penalties and others				
		YES			If YES, source document of national implementation law	YES			If YES, source document	Remarks
		NW	CW	BW		NW	CW	BW		
10	Assist in above mentioned activities	X	?	?	**NW/CW/BW:** Terrorism Act No.97 of 1992 Law no. 94 (2015) – Counter-Terrorism Law Law no. 8 (2015) – Terrorist Entities	X	?	?	**NW/CW/BW:** Penal Code No.58, articles 43, 44, 86-102 Law no. 94 (2015) – Counter-Terrorism Law	
11	finance above mentioned activities	X	?	?	**NW/CW/BW:** Law No. 80 for 2002 Promulgating the Anti-Money Laundering Law and its Amendments in 2003, 2008 Law no. 94 (2015) – Counter-Terrorism Law Law no. 8 (2015) – Terrorist Entities	?	?	?	**NW/CW/BW:** Law No. 80 for 2002 Promulgating the Anti-Money Laundering Law and its Amendments in 2003, 2008	
12	Above mentioned Activities related to means of delivery[2]									
13	Involvement of non-State actors in above mentioned activities									

Does national legislation exist which prohibits persons or entities to engage in one of the following activities?		National legal framework				Enforcement: civil criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
14	Other	?	?	?	**NW/CW/BW:** **Issuance** of new Egyptian Counter-Terrorism Law on 15/8/2015, dealing with all matters relating to terrorist activities, including in nuclear, chemical, biological and radiological fields.	? X	? X	? X	**NW/CW/BW:** In August 2007, a Working Group was established as a subsidiary body to Egyptian National Committee for International Cooperation on Counter-Terrorism, tasked with dealing specifically with the threat posed by the use of WMDs by terrorists and non-State actors.	

[2] Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP3 (a) and (b) — Account for/Secure/Physically protect NW, CW and BW, including Related Materials[1]

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW**	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
1	Measures to account for production	X			**NW:** INFCIRC/302, 30 June 1982 Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. Regulations on procedures and rules regulating the activities related to nuclear safeguards issued by Nuclear and Radiological Regulatory Authority, Egyptian Gazette No. 134, 2015. **CW:** **BW:**	X			**NW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). National System of Accounting for and Control of Nuclear Material implemented by Nuclear and Radiological Regulatory Authority (NRRA), reporting to the Prime Minister. Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No.1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and/or others				Remarks
		YES				YES				
		NW	CW	BW*	If YES, source document	NW	CW	BW	If YES, source document	
2	Measures to account for use	X			**NW:** INFCIRC/302, 30 June 1982 Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. Regulations on procedures and rules regulating the activities related to nuclear safeguards issued by Nuclear and Radiological Regulatory Authority, Egyptian Gazette No. 134, 2015. **CW:** **BW:**	X			**NW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). National System of Accounting for and Control of Nuclear Material implemented by Nuclear and Radiological Regulatory Authority (NRRA), reporting to the Prime Minister. Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				*Remarks*
		YES				*YES*				
		NW	*CW*	*BW**	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	
3	Measures to account for storage	X			**NW:** INFCIRC/302, 30 June 1982 Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. Regulations on procedures and rules regulating the activities related to nuclear safeguards issued by Nuclear and Radiological Regulatory Authority, Egyptian Gazette No. 134, 2015. **CW:**	X			**NW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). National System of Accounting for and Control of Nuclear Material implemented by Nuclear and Radiological Regulatory Authority (NRRA), reporting to the Prime Minister. Law no. 4 of 1994 and its amendments of 2000, and executive regulation no. 710 of 2012. Law No. 7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. **CW:**	
4	Measures to account for transport				Law No. 7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.					
5	Other measures for accounting									

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW*	If YES, source document	NW	CW	BW	If YES, source document	
6	Measures to secure production	?	?	?	**NW/CW/BW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Executive regulation no. 710 of 2012, on implementation of Environment Act No. 4 of 1994. Art 25 of implementing regulations of Environment Act prohibits handling of hazardous substances without authorization. Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	?	?	?	**NW/CW/BW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015).	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW**	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
7	Measures to secure use	?	?	?	**NW/CW/BW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Executive regulation no. 710 of 2012, on implementation of Environment Act No. 4 of 1994. Art 25 of implementing regulations of Environment Act prohibits handling of hazardous substances without authorization. Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	?	?	?	**NW/CW/BW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015).	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW*	If YES, source document	NW	CW	BW	If YES, source document	
8	Measures to secure storage	?	?	?	**NW/CW/BW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Executive regulation no. 710 of 2012, on implementation of Environment Act No. 4 of 1994. Art 25 of implementing regulations of Environment Act prohibits handling of hazardous substances without authorization. Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	X	X	**NW/CW/BW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015).	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW**	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
9	Measures to secure transport	X	X	X	**NW/CW/BW:** Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Executive regulation no. 710 of 2012, on implementation of Environment Act No. 4 of 1994. Art 25 of implementing regulations of Environment Act prohibits handling of hazardous substances without authorization. Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	X	X	**NW/CW/BW:** Measures based on international rules: ICAO's Annex 17 on security, the IMO's Dangerous Goods (IMDG) Code and International Ship and Port Facility Security (ISPS) Code Routes for the transportation of radioactive and other hazardous materials are secured Environment Act No. 4 of 1994, Article 88, penalty.	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement, civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW**	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
10	Other measures for securing			?	**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. **CW:** **BW:** Bio-safety Regulations and Guidelines, 1994			?	**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. **CW:** **BW:** National Bio-safety Committee	
11	Regulations for physical protection of facilities/ materials/ transports			?	**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. **CW: BW:** Ministerial Decree 582 for 2003 on Sanitary and Phytosanitary Measures.	?		?	**NW:** Law No.7 of 2010 and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. **CW:** **BW:**	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				*Remarks*
		YES				*YES*				
		NW	*CW*	*BW**	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	
12	Licensing/ registration of installations/ facilities/ persons/ entities/use/ handling of materials	X	X	X	**NW:** Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. Regulation on procedures and rules regulating the activities related to nuclear safeguards, issued by the Nuclear and Radiological Regulatory Authority, Egyptian Gazette, No. 134, 2015. Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015). Executive regulation no 710 of 2012. **CW, BW:** Environment Act No. 4 of 1994 (Articles 29, 31, 32).	X	X	X	**NW:** Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. **CW, BW:** Licensing by the Environmental Affairs Authority	
13	Reliability check of personnel									

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement, civil criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW**	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
14 Measures to account for/ secure/ physically protect means of delivery									

[3] Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument).

OP3 (a) and (b) — Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials?		*National legal framework*		*Enforcement civil/criminal penalties and others*		*Remarks*
		YES	*If YES, source document*	*YES*	*If YES, source document*	
1	National regulatory authority	X	Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	Nuclear and Radiological Regulatory Authority NRRA Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities	
2	IAEA Safeguards Agreements	X	INFCIRC/302, 30 June 1982	X	INFCIRC/302, 30 June 1982	
3	IAEA Code of Conduct On Safety and Security of Radioactive Sources	X				
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X				
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA	X	Convention on Early Notification of a Nuclear Accident Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency Convention on Nuclear Safety	X	Convention on Early Notification of a Nuclear Accident Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency Convention on Nuclear Safety	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials?		*National legal framework*		*Enforcement: civil criminal penalties and others*		*Remarks*
		YES	*If YES, source document*	*YES*	*If YES, source document*	
7	Additional national legislation/ regulations related to nuclear materials including CPPNM		Regulation on procedures and rules regulating the activities related to nuclear safeguards, issued by the Nuclear and Radiological Regulatory Authority, Egyptian Gazette, No. 134, 2015. – Regulation on classification of nuclear materials and radiation sources from nuclear security perspective, issued by the Nuclear and Radiological Regulatory Authority, 2015.			
8	Other					

OP3 (a) and (b) — Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties and others*		*Remarks*
		YES	*If YES, source document*	*YES*	*If YES, source document*	
1	National CWC authority					
2	Reporting Schedule I, II And III chemicals to OPCW					
3	Account for, secure or Physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015).	X	Environment Act No. 4 of 1994 and it Executive Regulation as amended by Law No. 9 (2009) and Law No. 105 (2015).	
5	Other					

OP3 (a) and (b) — Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties and others*		*Remarks*
		YES	*If YES, source document*	*YES*	*If YES, source document*	
1	Regulations for genetic engineering work					
2	Other legislation/ Regulations related to safety and security of biological materials					
3	Other					

OP3 (c) and (d) and related matters from OP6 and OP10 — Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export /import and other transfers of NW, CW, BW and Related Materials[3] Can violators be penalized[3]		*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
1	Border control	X	X	X	**NW/CW/BW:** Customs Law No. 14 of 2004 as amended Export-Import Regulations Law No. 118 of 1975 Decree 770/2005 to amend the Executive Regulations of Export-Import Regulations Law No. 118 of 1975. Branches of General Organization for Export and Import Control (GOEIC) inspect cargoes of hazardous substances at all legal entry and exit points. Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	X	X	**NW/CW/BW:** Customs Law No. 66 of 1963 as amended, Export-Import Regulation Laws no. 118/1975 and its executive regulations of the Ministerial Decree 770/2005. Branches of General Organization of Export and Import Control (GOEIC) inspect cargoes that are subject to quality control which are diverted from customs.	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
2	Technical support of border control measures	X	X	X	**NW/CW/BW:** Decree 770/2005 to amend the Executive Regulations of Export-Import Regulations Law No. 118 of 1975. Control by electronic gates, x-ray machines and Fiber scopes Risk system, pre-release system, post clearance audit; applies Single Window System; uses Electronic Data Interchange (EDI) System. Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	X	X	**NW/CW/BW:** Decree 770/2005 of Executive Regulations of Export-Import Regulations Law No. 118/1975 and the control system by electronic gates, X ray machines and fiber scopes. Risk System, pre-release system, post clearance audit, applies single window system, uses electronic data, interchange (EDI) system. General Organization of Export and Import Control analysis and inspects the powder and chemical samples which are diverted from customs.	
3	Control of brokering, Trading in, negotiating, otherwise assisting in sale of goods and technology									

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				*Remarks*
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	
4	Enforcement agencies/authorities	X	X	X	**NW/CW/BW:** Export-Import Regulations Law No. 118 of 1975 Law No. 7 of 2010, and its executive regulations Promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	X	X	**NW:** Nuclear and Radiological Regulatory Authority (NRRA) **CW/BW:** General Organization for Export and Import Control (GOEIC) inspect cargoes of hazardous substances at all legal entry and exit points Customs Authority	
5	Export control legislation in place	X	X	X	**NW/CW/BW:** Export-Import Regulations Law No. 118 of 1975 **NW:** Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	X	X	**NW/CW/BW:** – Export-Import Law no. 118/1975 issued by Ministerial Decree no. 770/2005 and Presidential Decree no. 1770/1971 establishing the General Organization of Export and Import Control (GOEIC). – Presidential Decree no. 106/2000 on facilitating inspection and control procedures of exported and imported goods. – Prime Minister Decree no. 1186/2003 on inspection and control measures of imported and exported goods. – Ministerial decree no. 770/2005 issuing the implementing regulations of the import and export law and its amendments.	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
6	Licensing provisions	X	X	X	**NW/CW/BW:** Export-Import Regulations Law No. 118 of 1975	X	X	X	**NW/CW/BW:** Minister of Foreign Trade and Industry	
7	Individual licensing				Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.					
8	General licensing				Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.					
9	Exceptions from licensing									
10	Licensing of deemed export/visa				Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. Activities.					
11	National licensing authority				NRRA					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				*Remarks*
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	
12	Interagency review for licenses									
13	Control lists									
14	Updating of lists									
15	Inclusion of technologies									
16	Inclusion of means of delivery									
17	End-user controls									
18	Catch all clause									
19	Intangible transfers									
20	Transit control	X	X	X	**NW:** Environment Act No. 4 of 1994 (article 32): Hazardous substances (... ionizing radiation) **CW:** Environment Act No. 4 of 1994 (article 32): Hazardous substances (... toxic ...) **BW:** Environment Act No. 4 of 1994 (article 32): Hazardous substances (... contagious ...)	X	X	X	**NW/CW/BW:** Environment Act No. 4 of 1994, (article 88), penalty Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
21	Trans-shipment control	X	X	X	**NW:** Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. Environment Act No. 4 of 1994 (article 32): Hazardous substances (ionizing radiation) **CW, BW:** Environment Act No. 4 of 1994 (article 32): Hazardous substances	X	X	X	**NW/CW/BW:** Environment Act No. 4 of 1994, (article 88), penalty	
22	Re-export control									
23	Control of providing funds	X	X	X	**NW/CW/BW:** Money Laundering Law 80 of 2002	X	X	X	**NW/CW/BW:** Egyptian Money Laundering Combating Unit	
24	Control of providing transport services									

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				*Remarks*
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	
25	Control of importation	X	X	X	**NW/CW/BW** Environment Act No. 4 of 1994 (article 32): Hazardous substances and the Act's amendments of 2000. Export-Import Regulations Law No. 118 of 1975 Decree 770/2005 to amend the Executive Regulations of Export-Import Regulations Law No. 118 of 1975 Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities.	X	X	X	**NW/CW/BW:** Minister of Foreign Trade and Industry	
26	Extraterritorial applicability									

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				*Remarks*
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	
27 Other			?	**NW:** Law No. 7 of 2010, and its executive regulations promulgated by Prime Minister's Decree No. 1326 of 2011 on nuclear and radiological activities. **CW:** **BW:** Ministerial Decree 582 of 2003 on Sanitary and Phytosanitary Measures			?	**NW:** **CW: BW:** Ministerial Decree No. 411 of 2002 officially created the Central Department of WTO Affairs in the Ministry of Foreign Trade as the main coordinating body for all issues related to the WTO, including Sanitary and Phytosanitary measures and coordinates its work with Animal Quarantine, Plant Quarantine, the General Organization for Export and Import Control, the Egyptian Organization for Standards and Quality, the Ministry of Health and Population, and the Ministry of Environment	

OP6, 7 and 8 (d) — Control lists, Assistance, Information

Can information be provided on the following issues?		*YES*		*Remarks*
1	Control lists-items (goods/equipment/ materials/technologies)			
2	Control lists-other	?	Ministerial Decision (Ministry of Trade and Industry) No. 770 of 2005, Annex 1, lists prohibited imports, "the majority of the goods listed, which number over a thousand, are chemical substances hazardous to human health and that the annex to the implementing regulations is available for the inclusion of additional chemical and biological substances."	
3	Assistance offered			
4	Assistance requested			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other[4]			

[4] Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.

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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 9 June 2016 from the Permanent Mission of Ukraine to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Ukraine to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and, in the light of the comprehensive review of the status of the implementation of the resolution, has the honour to transmit herewith the information regarding Ukraine's implementation of the above-mentioned resolution (see annex).

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Annex to the note verbale dated 9 June 2016 from the Permanent Mission of Ukraine to the United Nations addressed to the Chair of the Committee

[Original: Russian]

Information on the implementation by Ukraine of Security Council resolution 1540 (2004) regarding the non-proliferation of weapons of mass destruction in 2015

1. Participation by Ukraine in international non-proliferation regimes

Ukraine is pursuing a responsible and consistent policy in the area of arms control and the non-proliferation of weapons of mass destruction. It is an active participant in the regimes for the non-proliferation of weapons of mass destruction built around such basic international legal instruments as:

- The Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968 (ratified by Ukraine on 16 November 1994);
- The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 13 January 1993 (ratified by Ukraine on 16 October 1998);
- The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 10 April 1972 (ratified by Ukraine on 26 March 1975).

As one of the founders of the International Atomic Energy Agency (IAEA), Ukraine fully supports IAEA efforts in the area of the non-proliferation of nuclear weapons. That commitment has been demonstrated by, in particular, Ukraine's signature and strict observance of the Agreement between Ukraine and IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the signature in August 2000 of a protocol additional to this Agreement, which is intended to strengthen the IAEA safeguards regime (ratified by Ukraine on 16 November 2005).

Ukraine is a member of the following five international export control regimes: the Wassenaar Arrangement (export controls for conventional arms and for dual-use goods and technologies), the Missile Technology Control Regime, the Nuclear Suppliers Group, the Zangger Committee (control over international transfers of dual-use goods which are or could be used in nuclear activities) and the Australia Group (export controls on dual-use goods which could be used to produce chemical, biological or toxin weapons).

Ukraine recognizes the key role of the regimes described above in the sphere of non-proliferation of weapons of mass destruction and control over international transfers of weapons, and is in favour of developing them further and refining the mechanisms for cooperation among States parties within the framework of these regimes, particularly by stepping up cooperation in fields such as law enforcement, exchanges of information and also collaboration between the national authorities responsible for export control issues.

Ukraine plays an active role in the multi-purpose projects of the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, a Group of Seven initiative. Ukraine is a member of the Global Initiative to Combat Nuclear Terrorism and contributes to the achievement of its aims, in accordance with the basic principles and norms of current international law and national legislation. In October 2015, Ukraine acceded to the Global Health Security Agenda.

Ukraine provides no support in any form to State or non-State actors attempting to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons or their means of delivery. Any such support is prohibited under Ukrainian law.

2. Domestic legislation

Non-proliferation of nuclear weapons

- The Declaration of State Sovereignty of Ukraine, adopted by the Verkhovna Rada on 16 July 1990, in which the Ukrainian Soviet Socialist Republic proclaims its intention to adhere to three non-nuclear principles: not to accept, not to produce and not to acquire nuclear weapons;
- The Act on nuclear energy use and radiation safety of 8 February 1995 (as amended);
- Cabinet of Ministers Decision No. 1525 of 18 December 1996 approving regulations for a State accounting and control system for nuclear materials (as amended by Cabinet of Ministers Decision No. 257 of 25 March 2009);
- The Act of 17 December 1997 ratifying the Agreement between Ukraine and IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (the Agreement entered into force for Ukraine on 2 January 1998);
- The Act of 16 November 2005 on the ratification of the Additional Protocol to the Agreement between Ukraine and IAEA for the application of safeguards pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons;
- The Supreme Soviet Decision on the participation of Ukraine in the 1980 Convention on the Physical Protection of Nuclear Material (the Convention entered into force for Ukraine on 5 August 1993);
- Act No. 356-VI of 3 September 2008 on the ratification of the amendment to the Convention on the Physical Protection of Nuclear Material;
- Act No. 2064-III of 19 October 2000 on the physical protection of nuclear facilities, nuclear materials, radioactive waste and other sources of ionizing radiation.

Non-proliferation of biological and chemical weapons

Ukraine adopted the Act of 16 October 1998 ratifying the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. In the interests of fully implementing the Convention, Ukraine has also adopted the following laws and regulations:

- Presidential Decree No. 1080 of 26 August 1999 on the implementation of the Convention (as amended);
- Cabinet of Ministers Decision No. 2230 of 9 December 1999 on assistance in the implementation of the Convention;
- Cabinet of Ministers Decision No. 920 of 6 June 2000 on regulations governing the procedure for inspections in accordance with the Convention (as amended);
- Cabinet of Ministers Decision No. 109 of 7 February 2001 approving regulations governing the procedure for the preparation of national declarations pursuant to the Convention.

The decree ratifying the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction was adopted by the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic on 26 March 1975.

In August 2005, the Ministry of Health of Ukraine and the United States Department of Defence signed an agreement on cooperation to prevent the proliferation of technologies, pathogens and expertise which could be used to produce biological weapons. On the whole, the activities under that agreement are geared towards the following: strengthening the capacities of the Ukrainian specialized agencies to identify and respond to outbreaks of diseases caused by especially dangerous pathogens; achieving international biosafety and biosecurity standards in laboratories; conducting joint research; and training experts working with especially dangerous pathogen agents.

3. Legal and regulatory framework in specific sectors

Export control

The legal basis for State export control consists of the Constitution, laws, acts of the President and Cabinet of Ministers, other laws and regulations of Ukraine, and also international treaties by which the Verkhovna Rada has agreed to be bound.

The legislation on export control includes the following laws and regulations:

- Act No. 549-IV of 20 February 2003 on State control over international transfers of military and dual-use goods (as amended);
- Act No. 959-XII of 16 April 1991 on foreign trade activities (as amended);
- Act No 1644-VII of 14 August 2014 on sanctions;
- The Criminal Code of 5 April 2001, No. 2341-III (as amended);
- The Code of Administrative Offences of 7 December 1984, No. 8073-X (as amended);
- Presidential Decree No. 861 of 15 July 1999 on the procedure for establishing (withdrawing) restrictions on the export of goods in accordance with Ukraine's international obligations (as amended);
- Cabinet of Ministers Decision No. 767 of 15 July 1997 approving regulations governing the procedure for conducting expert analyses in the sphere of export control (as amended);

- Cabinet of Ministers Decision No. 1807 of 20 November 2003 approving the procedure for State control over international transfers of military goods (as amended);
- Cabinet of Ministers Decision No. 86 of 28 January 2004 approving the procedure for State control over international transfers of dual-use goods (as amended);
- Cabinet of Ministers Decision No. 838 of 8 June 1998 approving regulations governing the procedure for granting entities engaged in foreign trade the right to export and import military goods and goods containing information that constitutes a State secret (as amended);
- Cabinet of Ministers Decision No. 920 of 27 May 1999 approving regulations governing the procedure for the provision of safeguards and State monitoring of obligations regarding the use, for declared purposes, of goods subject to State export control (as amended);
- Cabinet of Ministers Decision No. 500 of 6 June 2012 approving the State export control procedure for negotiations related to the conclusion of foreign trade agreements (contracts) for the export of goods (as amended).

In the interests of Ukraine's national security and compliance with its international obligations regarding non-proliferation of weapons of mass destruction and their means of delivery and restriction of transfers of conventional weapons, Cabinet of Ministers Decision No. 159 of 31 March 2015 approved regulations on the State Export Control Service, which implements State policy for State control over international transfers of military, dual-use goods and other goods. Pursuant to these regulations, State export control procedures may be applied and policymaking proposals introduced in accordance with the Act on State control over international transfers of military and dual-use goods.

The principles of State export control policy referred to in the Act on State control over international transfers of military and dual-use goods include the binding force of the obligation to fulfil Ukraine's international obligations regarding non-proliferation of weapons of mass destruction and their means of delivery, the establishment of State control over international transfers of military and dual-use goods and the implementation of measures to prevent such goods from being used for terrorist and other illegal purposes.

The preamble specifies that the Act regulates State control over international transfers of military and dual-use goods in order to protect Ukraine's national interests and ensure that it complies with its international obligations regarding non-proliferation of weapons of mass destruction and their means of delivery.

Article 4 indicates that the principles of State export control policy include the binding force of the obligation to fulfil Ukraine's international obligations regarding non-proliferation of weapons of mass destruction and their means of delivery, the implementation of measures to prevent such goods from being used for terrorist and other illegal purposes, and cooperation with international organizations and foreign States in the sphere of State export control with the aim of strengthening international security and stability, including by preventing the proliferation of weapons of mass destruction and their means of delivery.

Article 10 sets forth State export control procedures designed to prevent the proliferation of weapons of mass destruction and their means of delivery. According to this article, export control procedures may in some cases be applied even to goods which do not appear on the export control lists (the "catch-all" principle).

As an example, if the central executive authorities responsible for export control receive information that there is an intention or likelihood that goods of any kind not appearing on the control lists will be used, in their country of end use, in developing, manufacturing, stockpiling, testing, repairing, servicing, modifying, modernizing, operating, managing, storing, detecting or identifying weapons of mass destruction and their means of delivery, or in their proliferation, those authorities have to notify the State Export Control Service, which may apply State export control procedures to the goods in question.

State export control also applies to the export or temporary export of goods not appearing on the control lists:

(a) If the goods are being exported or temporarily exported from Ukraine to a State against which a full or partial embargo on the supply of such goods has been imposed by a United Nations Security Council resolution, by another international organization or by national legislation;

(b) If such goods are being imported to the territory of Ukraine and the exporting State has requested the issuance of an international import certificate.

As a result, the non-proliferation requirements oblige all exporters to apply for an export licence if they become aware that the goods are intended for use in an activity connected with the production or manufacture of weapons of mass destruction or their means of delivery, or an activity otherwise connected with such matters.

As the central executive body responsible for implementing State export control policy, the State Export Control Service is required by article 6 of the Act to assist with activities connected with international transfers of goods or to limit or ban such activities where there are grounds to believe that the goods are connected with weapons of mass destruction or are intended for the production of such weapons or their means of delivery, or where there are no adequate safeguards (obligations) regarding the end use of the goods.

The procedure for State control over international transfers of dual-use goods was adopted by Cabinet of Ministers Decision No. 86 of 28 January 2004. This procedure defines the features of State control over international transfers of dual-use goods, specifically goods which can be used to produce conventional weapons, military or specialized technology, missiles or nuclear, chemical, biological or toxin weapons, regardless of the conditions of supply, the nature of the contracts, the customs regime or other aspects of the transfer.

The procedure applies to all entrepreneurs in Ukraine registered with the State Export Control Service as entities undertaking international transfers of goods and engaged in export, import, transit or any other form of foreign trade activity, including manufacturing, science and technology or participation as demonstrators in international exhibitions and fairs.

The procedure therefore excludes the possibility of international transfers of dual-use goods which could be used by non-State actors to produce weapons of mass destruction or their means of delivery.

In accordance with the provisions of this procedure, and also the procedure for State control over international transfers of military goods approved by Cabinet of Ministers Decision No. 1807 of 20 November 2003:

It is prohibited to export individual goods to countries against which the United Nations Security Council has imposed an embargo on the export of such goods and also in the event that expert analyses in the area of State export control indicate that there are grounds to believe they are intended for:

(a) The production of weapons of mass destruction or their means of delivery;

(b) Use for terrorist or other illegal purposes;

(c) Use in activities connected with the production of nuclear explosive devices or in activities connected with the nuclear fuel cycle which are not under IAEA safeguards;

(d) Use in activities connected with the acquisition, production, stockpiling or use of pathogenic agents (pathogens) and toxins as biological and toxin weapons or their components.

Lists of dual-use goods

Lists of dual-use goods that may be used to produce a missile (means of delivery of weapons of mass destruction) or a nuclear, chemical or biological weapon are set forth in annexes 2 to 5 of the procedure for State control over international transfers of dual-use goods.

Goods included in the lists that are transported across the customs borders of Ukraine are subject to mandatory customs clearance according to the procedure established under the legislation of Ukraine.

Customs control

Pursuant to article 544, subparagraph 2 (7), of the Customs Code, the revenue and duties agencies are mainly responsible for State export control activities within their mandated areas, in line with the current Code and other Acts of Ukraine.

Article 6 of Act No. 549-IV of 20 February 2003 on State control over international transfers of military and dual-use goods establishes the competent bodies for State export control.

State export control policy is implemented by a specially designated authority in that area, the State Export Control Service, and by the ministries and other central executive agencies authorized by legislation to carry out State export control measures.

Under Cabinet of Ministers Decision No. 159 of 31 March 2015 approving regulations for the State Export Control Service, the Service is a central executive agency whose work is managed and coordinated by the Cabinet of Ministers

through the Ministry of Economic Development and Trade and which implements State export control policy.

In accordance with article 21 of Act No. 549-IV of 20 February 2003, customs clearance and control are governed by the procedure set out in the Customs Code.

In accordance with article 197 of the Customs Code, there are, in certain cases provided for by law, restrictions on the movement of particular goods through Ukrainian customs checkpoints. Passage of such goods through Ukrainian customs and customs clearance are carried out by the revenue and duties agencies, on the basis of documents issued by the authorized State oversight agencies confirming compliance with the restrictions.

The procedures for control over international transfers of goods that could be used to create weapons of mass destruction (missiles or nuclear, chemical, bacteriological (biological) and toxin weapons) and the lists of such items were approved by Cabinet of Ministers Decision No. 1807 of 20 November 2003 approving the procedure for State control over international transfers of military goods, and Cabinet of Ministers Decision No. 86 of 28 January 2004 approving the procedure for State control over international transfers of dual-use goods.

Under the terms of the procedures established by these Decisions, entities undertaking international transfers of goods or foreign economic entities may engage in international goods transfers if they have the appropriate authorization from the State Export Control Service.

The procedure for the use in customs agencies of State Export Control authorizations and their electronic copies was approved by Ministry of Finance Decree No. 649 of 30 May 2012, Ministry of Justice registration No. 1040/21352 of 22 June 2012.

Border control

The State Border Service and its agencies are authorized to conduct activities to prevent, detect and interdict attempts to unlawfully transfer across the State border of Ukraine poisonous and radioactive substances or other items that could be used to commit terrorist acts.

Furthermore, the State border agencies and units have modern equipment in place to detect radioactive and nuclear materials or poisonous and hazardous chemical substances, and to monitor the radiological and chemical situation.

In order to perform these tasks, the State Border Service carries out investigative measures to detect illicit trafficking in radioactive materials across the State border, measures to identify illicit trafficking in radioactive materials and inspections of vehicles crossing the State border with a view to detecting radioactive materials.

In the case of nuclear (radioactive) material being illegally transferred across the State border, the State border agencies undertake a preliminary inspection of the material (item) detected and a preliminary demarcation of the borders of the controlled area; they carry out measures to protect the location where it was detected; and they provide physical protection for the radioactive materials withdrawn from illicit trafficking during illegal border crossings in areas without checkpoints until such materials are duly shipped to the proper destination.

In the context of the military aggression by the Russian Federation in the East of Ukraine, and according to data from the State Nuclear Regulatory Inspectorate and the "Isotope" State enterprise, there are 65 economic entities using over 1,200 sources of ionizing radiation in the temporarily occupied territories of Donetsk and Luhansk provinces, where State control has been lost over the following: cesium^{137}, cobalt^{60}, plutonium^{238}+beryllium, plutonium^{239}+beryllium, strontium^{90}+yttrium^{90}, barium^{133}, americium^{241}, americium^{241}+beryllium, iridium^{192} and krypton^{85}.

The security agencies of Ukraine are taking all necessary measures to prevent the proliferation of these materials from the territories temporarily outside the control of Ukraine.

Physical protection

Physical protection of nuclear materials

According to data from the State Nuclear Regulatory Inspectorate and the "Isotope" State enterprise, there are 65 economic entities using over 1,200 sources of ionizing radiation in the temporarily occupied territories of Donetsk and Luhansk provinces, where State control has been lost over the following: cesium^{137}, cobalt^{60}, plutonium^{238}+beryllium, plutonium^{239}+beryllium, strontium^{90}+yttrium^{90}, barium^{133}, americium^{241}, americium^{241}+beryllium, iridium^{192} and krypton^{85}.

Furthermore, a radioactive waste repository (in operation from 1963 to 1966) is located in a State-run chemical plant in a part of Donetsk province that is not under the control of Ukraine.

According to archival data, this repository contains 159 packages with radioactive waste totalling 600 m^3 and with a total activity of 1.54 x 1,012 Bq. The main radioactive isotopes in the repository are cobalt^{60}, radium^{226} and cesium^{137}.

A lack of control over these materials could cause significant damage to the environment and to human health.

Physical protection of biological materials

The main document defining biosafety and biosecurity rules and standards is the World Health Organization Laboratory Biosafety Manual, which sets out the key principles for working safely in research, diagnostic and industrial laboratories.

Act No. 1103-V of 31 May 2007 on the national biosafety system in the creation, testing, transportation and use of genetically modified organisms establishes measures to ensure biological and genetic safety.

The instrument governing the establishment and operation of the public multi-level centralized system for disease control and oversight in Ukraine is Ministry of Health Decree No. 127/27 of 21 March 2003 on improving the functioning of the system for the detection of biological pathogenic agents, whereby the territory of the State is divided into six areas and a detection centre is located at an institution for disease control research in each area. The centres report to the main detection centres under the provincial health inspection services.

The regulatory instruments governing important biosafety issues are State Health Rules DSP 9.9.5.-080-2002: Rules for apparatus and safe operation in

microbiological laboratories (departments, units) and State Health Rules DSP 9.9.5.-035-99: Rules for the safe handling of microorganisms in pathogenic groups I and II.

Presidential Decree No. 423/2009 of 10 June 2009 established the Commission on Biosafety and Biosecurity, reporting to the National Security and Defence Council of Ukraine.

Ministry of Agrarian Policy and Ukrainian Academy of Sciences Decree No. 479/75 of 10 July 2009 established the standing working group on biosafety for the use of genetically modified organisms in the agro-industrial system.

Today Ukraine is continuing to create a biosafety system and is reforming State bodies and implementing measures to operationalize a national system to counter bioterrorism. It is protecting the population from the uncontrolled and illegal proliferation of genetically modified organisms, maintaining a healthy and safe environment and enhancing logistical support for laboratories and scientific research institutions.

The following laws and regulations were adopted in this area in 2015:

- Act No. 287-VIII of 7 April 2015 on animal by-products not intended for human consumption;
- Cabinet of Ministers Decision No. 32 of 21 January 2015 approved regulations on the Ministry of the Environment and Natural Resources, which was tasked with formulating State policy for protection of the natural environment and for biological and genetic security, as provided for under the law;
- Cabinet of Ministers Decision No. 667 of 2 September 2015 approved regulations on the State Service on Food Safety and Consumer Protection, which is being established under the aegis of the State Veterinary and Phytosanitary Service, the State Inspectorate for Consumer Rights Protection and the State Health and Epidemiological Service. The State Service on Food Safety and Consumer Protection will implement State policy in such areas as veterinary medicine, food safety and quality, plant protection and quarantine and disease control;
- Cabinet of Ministers Decision No. 982 of 30 September 2015 approved detailed rules for organic (raw material) aquaculture production;
- Ministry of Health Decree No. 604 of 18 September 2015 established the Government-run Centre for Public Health of the Ministry of Health;
- Ministry of Education and Science Decree No. 875 of 13 August 2015 established a working group to prepare a draft law amending certain acts on the use of genetically modified microorganisms in a closed system.

4. Liability for the proliferation of weapons of mass destruction

Liability for violation of the laws on State control for the non-proliferation of weapons of mass destruction is governed by the Criminal Code, the Code of Administrative Offences (article 188-17 and 212-4) and the Act on State control over international transfers of military and dual-use goods (section IV, Prevention of violations and liability in the area of State export control).

In accordance with article 24, paragraphs 1 to 10, of the aforementioned Act, offences in the area of State export control include:

- Conduct of international transfers of goods without obtaining a licence, authorization or document of guarantee under the established procedure or conduct of such transfers on the basis of licences, authorizations or documents of guarantee obtained by submitting counterfeit documents or documents containing inaccurate information (para. 1);

- Conclusion of foreign trade agreements (contracts) concerning international transfers of any goods or participation in their implementation in any way other than as specified by this Act if the exporter becomes aware that such goods may be used by a foreign State or foreign business for the purpose of producing weapons of mass destruction or their means of delivery (para. 2);

- Conduct of international transfers of goods even though the exporter has become aware that the goods will be used for other purposes or by other end-users than those specified in the foreign trade agreement (contract) or related documents on the basis of which the licence, authorization or international import certificate was obtained (para. 3);

- Deliberate concealment of information relevant to the decision on whether to grant licences, authorizations or international import certificates (para. 4);

- Conduct of international transfers of goods in violation of the conditions specified in the licences, authorizations or international import certificates, including after making changes to the foreign trade agreement (contract), without the consent of the designated export control authority, concerning the names and identifying information of exporters, importers, brokers and end-users and also the descriptions of goods, end-use requirements and submission of the relevant documents of guarantee (para. 5);

- Conduct of negotiations concerning the conclusion of foreign trade agreements (contracts) on the export of goods, in respect of the supply of which a partial embargo has been imposed on the foreign State concerned, based on Ukraine's international obligations, without obtaining authorization from the designated export control authority (para. 6);

- Failure to submit or late submission to the designated export control authority of reports and relevant documents on the outcome of the negotiations, specified in paragraph 8, on exports and imports of goods actually carried out on the basis of licences, authorizations or international import certificates obtained and also on the use of such goods for their declared purposes (para. 7);

- Obstructing the staff of the designated export control authority and other State bodies involved in State export control, during the performance of their official duties, or failing to comply with legitimate requests by such persons (para. 8);

- Unwarranted refusal to provide information and documents requested by the designated export control authority or other competent State agencies involved in State export control or the deliberate falsification or concealment of such information and documents (para. 9);

– Deliberate destruction of documents relating to the conclusion or execution of foreign trade agreements (contracts) on the conduct of international transfers of goods on the basis of which licences, authorizations or international import certificates were received until the end of the period during which they are required to be retained under article 22 of the Act (para. 10).

Article 25 of this Act establishes the liability of legal entities involved in international transfers of goods for violation of the requirements of the law in the area of export control specified in article 24.

The State Export Control Service imposes the following fines for violations by legal entities involved in international transfers of goods under paragraphs 1 and 2 of article 24:

– 150 per cent of the value of the goods involved in the relevant international transfer if, according to the conclusions of the central executive authorities and other State bodies, the national interests (political, economic or military) of Ukraine have been harmed or its international obligations have been violated;

– 100 per cent of the value of the goods if, according to the conclusions of the central executive authorities and other State bodies, such interests have not been harmed and such obligations have not been violated;

– 100 per cent of the value of the goods involved in the relevant international transfer for violations of paragraphs 3 to 6;

– 1,000 times the individual income tax exemption limit for violations of paragraphs 7 and 11;

– 500 times the individual income tax exemption limit for violations of paragraph 8;

– 100 times the individual income tax exemption limit for violations of paragraphs 9 and 10.

This article also provides that the State Export Control Service, besides imposing the aforementioned fines, may revoke or suspend the licence, authorization or international import certificate for the conduct of international transfers of goods which it granted to such economic entity or revoke its registration with the authority as an entity authorized to conduct international transfers of goods, thereby suspending all licensing documents and documents of guarantee issued to that entity which were current on the date of the revocation of registration.

Criminal liability for the proliferation of weapons of mass destruction

Any development, production, stockpiling or use of weapons of mass destruction is the result of the decisions and actions of individuals, whether they are officials, private businessmen, weapons experts or terrorists. However, the international conventions prohibiting such weapons have almost no provisions on individual liability. States therefore need to introduce appropriate provisions in their legislation to establish criminal liability for activities linked with the proliferation of weapons of mass destruction.

The Criminal Code of Ukraine thus contains eight articles which in one way or another are concerned with criminal liability for activities involving the potential

proliferation of weapons of mass destruction: article 258 (Terrorist act); article 261 (Attacks on facilities which contain objects posing a heightened risk to the environment); article 321 (Illegal production, manufacture, acquisition, transport, transfer and stockpiling for sales purposes or sale of toxic and potent substances); article 326 (Infringement of the rules on handling microbiological or other biological agents or toxins); article 333 (Infringement of the procedure for conducting international transfers of goods subject to State export control); article 439 (Use of weapons of mass destruction); article 440 (Development, production, acquisition, stockpiling, sale and transport of weapons of mass destruction); and article 441 (Ecocide).

Article 333 establishes criminal liability for violation of the established procedure for conducting international transfers of goods subject to State export control. Such actions are punishable by a fine of from 100 to 200 times the individual income tax exemption limit or by custodial restraint for up to three years or imprisonment for the same term, with deprivation of the right to hold certain offices or engage in certain activities for up to three years. In the event that such actions are committed repeatedly or by an organized group, they are punishable by a term of up to five years of custodial restraint or the same term of imprisonment, with deprivation of the right to hold certain offices or engage in certain activities for up to three years.

Article 439 provides that the use of weapons of mass destruction, prohibited by international treaties by which the Verkhovna Rada has agreed to be bound, is punishable by a term of from 8 to 12 years of imprisonment; and in the event that such acts cause the death of persons or other grave consequences, they are punishable by a term of from 8 to 15 years of imprisonment or life imprisonment.

Article 440 provides that the development, production, acquisition, stockpiling, sale and transport of weapons of mass destruction, prohibited by international treaties by which the Verkhovna Rada has agreed to be bound, is punishable by a term of from 3 to 10 years of imprisonment.

Code of Administrative Offences

Article 188-17 of the Code of Administrative Offences establishes the administrative responsibility of individuals and legal entities for non-compliance with legitimate requests by staff of the designated export control authority. Such violations are punishable by a fine on nationals of from 15 to 20 times the individual income tax exemption limit and a fine on officials of from 20 to 50 times the individual income tax exemption limit.

Moreover, in accordance with article 212, a violation of the State export control legislation is punishable by a fine on nationals of from 15 to 20 times the individual income tax exemption limit and a fine on officials of from 20 to 50 times the individual income tax exemption limit for:

- Conduct of negotiations concerning the conclusion of foreign trade agreements (contracts) on the export of military goods, or dual-use goods in respect of the supply of which a partial embargo has been imposed on the foreign State concerned, without obtaining authorization from the designated export control authority;

- Failure to submit or late submission of reports and relevant documents to the designated export control authority concerning the outcome of the negotiations specified in the above paragraph and also concerning international transfers of military and dual-use goods actually carried out on the basis of licences or certificates obtained and also on the use of such goods for their declared purposes;

- Deliberate destruction of documents relating to the conclusion or execution of foreign trade agreements (contracts) for international transfers of military and dual-use goods on the basis of which licences, authorizations or international import certificates were received until the end of the period during which they are required by law to be retained.

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Note verbale dated 22 June 2016 from the Permanent Mission of Uzbekistan to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Uzbekistan to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to convey the updated national report of the Republic of Uzbekistan and the national plan of action on the implementation of resolution 1540 (2004) (see annex).

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Annex to the note verbale dated 22 June 2016 from the Permanent Mission of Uzbekistan to the United Nations addressed to the Chair of the Committee

[Original: Russian]

National report of the Republic of Uzbekistan on the implementation of Security Council resolution 1540 (2004)

I. Introduction

On 28 April 2004, the Security Council unanimously adopted resolution 1540 (2004) under Chapter VII of the Charter of the United Nations, in which it affirms that the proliferation of nuclear, chemical and biological weapons and their means of delivery constitutes a threat to international peace and security.

Resolution 1540 (2004) imposes obligations on all States to adopt legislation establishing adequate national control of nuclear, chemical and biological weapons and their means of delivery (hereinafter referred to as "weapons of mass destruction") and preventing illicit trade therein, in accordance with relevant international conventions and treaties.

Uzbekistan reaffirms its resolve to actively combat the proliferation of weapons of mass destruction in all its aspects and using all available forces and means and to support the international community's measures against it.

Uzbekistan's policy on disarmament and non-proliferation of weapons of mass destruction is determined in accordance with its foreign policy, which is based on its commitment to strengthening international security, promoting cooperation among States and enhancing the role of international organizations in solving global problems and conflicts.

Over the years of independence, Uzbekistan has taken a number of steps that demonstrate its determination to strengthen the regime of the non-proliferation of weapons of mass destruction. Uzbekistan has signed the main international conventions and treaties in this area, or has acceded to them, and has adopted national legislation to implement the provisions contained therein, including:

- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Washington/London/Moscow, 1972);
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Paris, 1993);
- Convention on the Physical Protection of Nuclear Material (Vienna, 1979) and the Amendment thereto (Vienna, 2005);
- Code of Conduct on Safety and Security of Radioactive Sources (International Atomic Energy Agency (IAEA), 2003);
- Treaty on the Non-Proliferation of Nuclear Weapons (Washington/London/Moscow 1968);

- Treaty on a Nuclear-Weapon-Free Zone in Central Asia (Semipalatinsk, Kazakhstan, 2006);
- Agreement among the States members of the Commonwealth of Independent States on Chemical Weapons (Tashkent, 1992);
- Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community (EURATOM) and the Government of Uzbekistan (Brussels, 2003);
- Act No. 657-XII of the Republic of Uzbekistan of 3 July 1992 on State health inspection;
- Act No. 658-II of the Republic of Uzbekistan of 26 August 2004 on export controls;
- Act No. 71-II of the Republic of Uzbekistan of 25 May 2000 on the licensing of certain types of activity;
- Act No. 120-II of the Republic of Uzbekistan of 31 August 2000 on radiation safety;
- Act No. 362-II of the Republic of Uzbekistan of 5 April 2002 on waste;
- Criminal Code of Uzbekistan (enacted by Act No. 2012-XII of 22 September 1994), which provides stiff sentences for unlawful activity in the area of trade in radioactive, nuclear, chemical and biological substances (articles 246, 252, 253, 254 and 255-1);
- Cabinet of Ministers of the Republic of Uzbekistan decision No. 111 of 6 March 2004 approving the statute on the licensing of activity in the area of trade in sources of ionizing radiation;
- Cabinet of Ministers of the Republic of Uzbekistan decision No. 424 of 10 September 2004 on measures for the implementation of Security Council resolution 1540 (2004);
- Cabinet of Ministers of the Republic of Uzbekistan decision No. 98 of 3 April 2009 approving the rules of procedure for a State system for the accounting and control of trade in sources of ionizing radiation;
- Cabinet of Ministers of the Republic of Uzbekistan decision No. 179 of 25 June 2009 on measures to ensure compliance with the obligations of Uzbekistan under international agreements pertaining to the peaceful use of nuclear energy;
- Cabinet of Ministers of the Republic of Uzbekistan decision No. 231 of 13 August 2009 approving the procedure for State accounting and control of trade in radioactive substances, radioactive waste and nuclear materials;
- Cabinet of Ministers of the Republic of Uzbekistan decision No. 358 of 20 December 2012 approving the statute on a single State system for forecasting, early detection and response to radiation emergencies.

II. Contribution by Uzbekistan to strengthening international security and the global regime of non-proliferation of weapons of mass destruction

As a full member of IAEA, Uzbekistan has been able to access advanced technology and international experience in the peaceful use of nuclear energy in science, health care, agriculture and other industries; it has also been able to safely handle nuclear materials. Participation in the IAEA Technical Cooperation Programme (internships, training, expert assistance, equipment) has enabled it to improve radiation and nuclear safety in the country.

Uzbekistan supported the adoption of Security Council resolution 1540 (2004). In 2004, 2005 and 2007, it submitted to the Security Council Committee established pursuant to resolution 1540 (2004) its national reports and additional information on the measures taken at the national level to establish an export control system to monitor the transfer of goods and technology that may be used to make weapons of mass destruction and other types of weapons.

Given the comprehensive and all-embracing nature of resolution 1540 (2004), efforts are being made to enhance its implementation by studying international experience and applying the lessons learned to the work of competent State authorities.

III. National measures

A comprehensive national legislative and regulatory system is now in place in Uzbekistan, setting out the key provisions of the legal regime for ensuring radiation, nuclear, chemical and biological safety.

The practical implementation of the legal requirements ensures a unified approach to the application of and compliance with the main principles of ensuring radiation, nuclear, chemical and biological safety throughout Uzbekistan, regardless of the nature of the manufacturing activities or scientific research and development work being performed or the department responsible for them.

The following are priority areas of the national system to control weapons of mass destruction:

1. Nuclear safety of research reactors

With the support of the Government of Uzbekistan, IAEA and competent United States and Russian authorities, a highly complex project was carried out in a State special purpose facility by specialized State institutes and competent State bodies, involving the transition to low-enriched fuel and the enhanced physical protection of a research reactor and the grounds of the Institute of Nuclear Physics of the Academy of Sciences of Uzbekistan. Repair and renovation work was carried out on the secondary circuit of the research reactor to prevent the deterioration of the nuclear facility's systems, with the support of the Government of Uzbekistan, IAEA and a number of donor countries. This helped reduce the nuclear threat to the environment, surrounding area and population to less than one fifteenth of its former level.

With technical support from IAEA, an international technical meeting was held in Tashkent to learn from the experience gained by State specialists in replacing the WWR-CM research reactor protection system and ensuring the reactor's long-term safety. The meeting was attended by experts from eight IAEA member States in whose territory there are similar research reactors. IAEA has issued a series of recommendations and guidelines for member States based on the findings of this meeting.

2. Prevention of the unlawful transfer and proliferation of nuclear, chemical and biological weapons and their means of delivery

In accordance with current legislation, measures are being taken to prevent, detect and halt the illicit transfer across the State border of Uzbekistan of arms, ammunition, explosives or radioactive, biological, chemical or other toxic substances, objects or materials that may be used for the purposes of committing a terrorist act.

Furthermore, the main border customs posts are equipped with mobile radiation detectors and portal monitors, which are connected to the integrated local area network of the State Customs Committee, in order to prevent the illicit transfer of radioactive and nuclear materials.

Health-control points are in operation at checkpoints on State borders with neighbouring States and at airports to prevent any deterioration in the epidemiological situation and the spread of quarantinable infections in the territory of Uzbekistan.

On the initiative of Uzbekistan, work is currently under way to establish in Tashkent a Central Asian regional office of the Chemical, Biological, Radiological and Nuclear Risk Mitigation Centres of Excellence, with the support of the European Union.

3. Radiation safety

Companies that use radioactive substances and sources of ionizing radiation in manufacturing, mining, geological exploration, medical institutes, food and chemical processing and scientific research are monitored for radiation safety. Radiation safety regulations and basic health standards for ensuring radiation safety have been developed by competent authorities through joint and coordinated work as guidelines for optimizing protection from radiation exposure.

4. Safety and security of radioactive sources and physical protection of hazardous radiation facilities

Work is under way to inventory radioactive sources and ensure their physical protection, with the aim of preventing their theft and unlawful use, in accordance with the Code of Conduct on the Safety and Security of Radioactive Sources (IAEA, 2003).

A number of laws and regulations have been adopted to regulate the inventorying and control of trade in radioactive materials, sources of ionizing radiation and radioactive waste, which were highly praised by experts from other countries and international organizations (IAEA, EURATOM).

Joint work by ministries and government agencies has led to the creation of the first database covering all the sources of ionizing radiation used in the country. A catalogue has been compiled of the sources of ionizing radiation used in Uzbekistan.

Physical protection has been improved in all the facilities of ministries and Government agencies that use highly active radioactive substances (Institute of Nuclear Physics, Veterinary Institute, cancer detection centres). Bilateral programmes supported by international grants and donor countries have led to a significant improvement in the regulatory infrastructure and increased capacity in this sphere.

5. National strategy to regain control of orphan sources

A package of training materials on orphan sources is being prepared to address this issue. The materials will complement the draft safety manual entitled *Methodology for a National Strategy for Regaining Control over Orphan Sources*. This document is currently under development.

A plan for the detection and securing of orphan sources aims to provide assistance to ministries and Government agencies in building their capacities to detect and secure orphan radioactive sources and to compile verified inventories. An expert group has been set up to tackle this difficult task, comprising highly qualified specialists from ministries and Government agencies. In addition, an interim storage facility on the grounds of the Institute of Nuclear Physics has been designated to identify unknown radioactive elements, assess their activity level and the integrity of their containment shell and container, carry out certification and address the possibility of their recycling.

6. Training and skills development of national staff

Training is one of the key priorities of the Government's policy. A training centre for radiation safety specialists and a working group to coordinate the training of staff working in the field of radiation and nuclear safety have been operating since 2006 under the Tashkent Institute of Advanced Medical Education of the Ministry of Health to support ministries and government agencies in providing comprehensive, sustained and specially tailored training to their staff. Over the past five years, with the support of the Government of Uzbekistan and IAEA, the training centre has organized six international training courses, at the regional and national levels, on the various aspects of emergency preparedness and response. More than 70 local and 40 foreign emergency management and response specialists and the staff of competent authorities and civil protection units have received training through these courses.

7. Chemical safety

In accordance with the 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, a committee on the implementation of the Convention at the national level has been established under the Cabinet of Ministers of Uzbekistan.

Information on the legal and administrative measures taken to implement the Convention has been submitted to the Organization for the Prohibition of Chemical

Weapons (OPCW) and the United Nations Department for Disarmament Affairs, and a statement on the progress of its implementation is transmitted every year.

Two regional workshops and a concluding session have been held in Uzbekistan, in cooperation with OPCW, on combating the illicit proliferation and use or exploitation of chemical weapons and their components.

8. Biological safety

In compliance with Security Council resolution 1540 (2004), the arrangements for the biological safety and physical protection of Ministry of Health facilities in which pathogenic organisms are stored have been verified. These facilities fully meet the standards established for facilities engaged in the study and identification of quarantinable and especially dangerous infectious diseases. All laboratories have special permits to work with pathogenic organisms of the various hazard groups, which are issued by the safety commission of the Ministry of Health for each individual laboratory. Access to laboratories and authorization to work with pathogenic materials are strictly limited.

In accordance with the intergovernmental agreement between the Republic of Uzbekistan and the United States of America of 5 June 2001 and the Non-Proliferation of Biological Weapons Programme, American specialists from the Defense Threat Reduction Agency of the United States Department of Defense have worked on enhancing the level of physical protection and biological safety at various research institutes of the Ministry of Health of Uzbekistan.

IV. Concluding comments

Uzbekistan is taking concerted action to prevent and suppress the proliferation of weapons of mass destruction and strengthen international cooperation in this field and is ready to do its utmost to fulfil all the requirements of Security Council resolution 1540 (2004). Although problems exist in all the priority areas, a streamlined and comprehensive approach to their solution will ensure a healthy future generation.

Addendum

Programme of measures to implement Security Council resolution 1540 (2004) for 2015 (National action plan)

No.	*Activities*	*Time frame*
I.	Improvement of the legal and regulatory framework for radiation, nuclear, chemical and biological safety and export control	
1.	Preparation of a draft Presidential decree regulating the import, export and transit of certain goods	Second quarter 2015
2.	Introduction of amendments to the existing legal and regulatory framework for export control	Second quarter 2015
3.	Preparation of a draft Cabinet of Ministers decision on measures to implement the 2005 International health regulations in Uzbekistan	Second quarter 2015
4.	Introduction of amendments to the existing legal and regulatory framework outlining requirements to conduct anti-epidemic health protection measures in the territory of Uzbekistan and health and quarantine control at checkpoints on the State border of Uzbekistan	Third quarter 2015
5.	Submission to the Cabinet of Ministers of a bill on the introduction of amendments and additions to the Act on State health inspection	Fourth quarter 2015
II.	Organizational and practical activities to enhance cooperation among competent bodies in ensuring radiation, nuclear, chemical and biological safety	
6.	Learning from, assimilating and implementing in Uzbekistan international experience in responding to and mitigating the effects of emergencies in the area of radiation, nuclear, chemical and biological safety	Ongoing
7.	Research and monitoring of radiation, nuclear, chemical and biological safety	Ongoing
8.	Joint civil defence drills for emergencies in facilities involved in trade in radioactive and nuclear materials	Throughout the year
9.	Joint civil defence drills for emergencies in facilities involved in trade in chemical substances	Throughout the year
10.	Joint civil defence drills for emergencies in facilities working with microorganisms in pathogenic hazard groups 1 and 2	Throughout the year
11.	Awareness-raising campaigns through the mass media	Throughout the year

No.	*Activities*	*Time frame*
III.	Training and skills development of national staff in the field of radiation, nuclear, chemical and biological safety	
12.	Training courses, workshops and seminars aimed at developing the skills of radiation, nuclear, chemical and biological safety specialists. Learning from the practical experience gained in that area by the competent bodies of other States	Throughout the year
13.	Implementation of a distance learning system for specialists from regional institutes in the area of radiation, nuclear, chemical and biological safety and improvement of the existing information and communications technology in that area	Fourth quarter 2015
IV.	International cooperation in the area of radiation, nuclear, chemical and biological safety	
14.	Organization and holding of training courses for specialists from ministries and government agencies, with the participation of experts from international organizations, including in the framework of international programmes	Throughout the year
15.	Participation of specialists from ministries and government agencies in international conferences, symposiums, meetings, training courses, seminars and round tables held by international organizations	Ongoing
16.	Drafting of proposals for international organizations and donor countries pertaining to the provision of assistance to upgrade divisions and offices of ministries and government agencies working in the area of radiation, nuclear, chemical and biological safety, equipping them with the latest control technology and personal protective equipment.	First quarter 2015